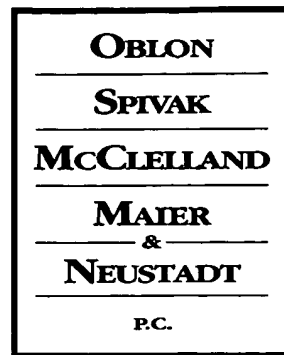




Docket No.: 248079US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/764,449

Applicants: Noriaki OJIMA, et al.

Filing Date: January 27, 2004

For: IMAGING APPARATUS, IMAGING METHOD, AND  
RECORDING MEDIUM FOR MINIMIZING A  
RELEASE TIME LAG

Group Art Unit: 2622

Examiner: MISLEH, JUSTIN P

SIR:

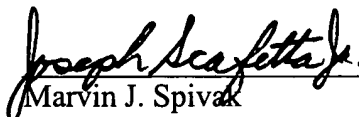
Attached hereto for filing are the following papers:

**PETITION UNDER 37 C.F.R. §1.181**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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DOCKET NO: 248079US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
NORIAKI OJIMA, ET AL. : EXAMINER: MISLEH, J.  
SERIAL NO: 10/764,449 :  
FILED: JANUARY 27, 2004 : GROUP ART UNIT: 2622  
FOR: IMAGING APPARATUS, IMAGING :  
METHOD AND RECORDING MEDIUM

**PETITION UNDER 37 C.F. R. § 1.181**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

The Applicants respectfully petition in accordance with 37 C.F.R. § 1.181(a)(3) to compel consideration by the Examiner of the reference cited in the Information Disclosure Statement (IDS) filed September 16, 2005, a copy of which is attached along with a copy of the date-stamped filing receipt.

The Applicants note that the Notice of Allowance dated July 11, 2006, did not include an indication that the IDS filed on September 16, 2005, was considered. Accordingly, Applicants request a copy of the IDS filed September 16, 2005, that is signed, initialed, and dated by the Examiner as being considered as required under MPEP 609 III.C.2., in order to clarify that the reference cited in the IDS has been considered and made of record.

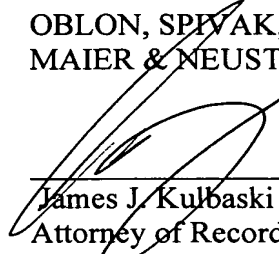
Application No. 10/764,449

Reply to Notice of Allowance dated July 11, 2006

It is respectfully requested that this Petition under 37 C.F.R. § 1.181 be granted and the Examiner compelled to provide the Applicants with a signed, initialed, and dated copy of the IDS filed on September 16, 2005.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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